

REMARKS

Claims 23-51 are pending in this application. By this Amendment, claims 24, 31, 32, 35, 41 and 44 are amended, claims 45-51 are added, and withdrawn, non-elected claims 1-22 are canceled. The title also is amended. Applicants reserve the right to file one or more divisional applications to pursue the subject matter of canceled claims 1-22.

Claim 24 is amended to correct the punctuation; claim 35 is amended to address the objection raised in the Office Action; claims 31, 32 and 44 are amended for clarity; and claim 41 is amended to correct an obvious typographical error. Newly-added independent claims 45, 48, 49 and 51 respectively correspond to original claims 23, 31, 41 and 44, except that the newly-added claims recite that a light balance gain is calculated, rather than reciting that a white balance adjustment is performed. Calculation of the white balance gain is described throughout the specification. Thus, no new matter is added by the above amendments.

Applicants submit that the amended title overcomes the objection to the title. Applicants also submit that the amendment to claim 35 overcomes the objection to claim 35. Withdrawal of these objections is requested.

Applicants note with appreciation the allowance of claims 23-40. Applicants submit that newly-added claims 45-48 are allowable for reasons similar to those set forth in the Office Action for independent claims 23 and 31.

Claims 41, 42 and 44 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,619,347 to Taniguchi et al. in view of U.S. Patent No. 4,794,448 to Takizawa. This rejection is respectfully traversed.

Applicants respectfully disagree with the Office Action's assertion that Taniguchi et al. discloses the area extracting unit (or processing) and the white balance adjustment unit (or processing) recited in independent claims 41 and 44. In particular, Applicants respectfully

submit that Taniguchi et al. does not disclose or suggest an arrangement in which white balance adjustment is performed based upon pixel outputs corresponding to the individual colors from the extracted area(s), in which the extracted areas that have a hue manifesting a frequency equal to or lower than a predetermined frequency value ... based upon a hue frequency distribution among the plurality of partition areas, as recited in independent claims 41 and 44. Taniguchi et al. discloses removing picture data having a high chromaticity (see, for example, col. 24, lines 20-48) while determining a color distribution axis, and then calculating a relaxation factor to prevent an erroneous determination of a color distribution axis caused when a chromatic colored object influences the colored picture. See, for example, col. 14, lines 47-61, col. 21, line 32 – col. 33, line 20 and col. 34, lines 33-48. However, this does not correspond to extracting areas manifesting a frequency equal to or lower than a predetermined frequency value ... based upon a hue frequency distribution among the plurality of partition areas, and then performing the white balance adjustment based on the pixel outputs corresponding to individual colors from those extracted areas.

Takizawa does not overcome these deficiencies in Taniguchi et al. Thus, Applicants respectfully submit that independent claims 41 and 44, as well as their dependent claims, are patentable over Taniguchi et al. and Takizawa. Withdrawal of the rejection is requested.

Claim 43 stands rejected under 35 U.S.C. §103(a) over Taniguchi et al. in view of Takizawa, and further in view of U.S. Patent No. 5,473,375 to Takayama et al. This rejection is respectfully traversed. Takayama et al. does not provide the deficiencies of Taniguchi et al. with respect to independent claim 41. Accordingly, claim 43 is patentable for at least the reasons set forth above with respect to independent claim 41. Withdrawal of the rejection is requested.

Applicants respectfully submit that newly-added claims 49-51 are patentable for at least the reasons set forth above with respect to independent claims 41 and 44.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

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